

**Senate Special Judiciary Committee Members
2005-2006**

Senator Michael S. Meyer von Bremen

Chairman
121-I State Capitol
Atlanta, Georgia 30334
404-656-0037

Senator David Adelman

Vice-Chairman
303-A Coverdell Legislative Office Building
Atlanta, Georgia 30334
404-463-1376

Senator Steve Henson

Secretary
121-J State Capitol
Atlanta, Georgia 30334
404-656-0085

Senator Vincent Fort

Committee Member
305-B Coverdell Legislative Office Building
Atlanta, Georgia 30334
404-656-5091

Senator Steen Miles

Committee Member
325-B Coverdell Legislative Office Building
Atlanta, Georgia 30334
404-463-2598

Senator Nancy Schaefer

Committee Member
323-A Coverdell Legislative Office Building
Atlanta, Georgia 30334
404-463-1367

Senator Doug Stoner

Committee Member
303-B Coverdell Legislative Office Building
Atlanta, Georgia 30334
404-463-2518

2005 Session

Senate Special Judiciary Committee Rules

Introduction:

Each member of the Committee should be mindful of the Senate Rules especially regarding attendance.

1. A Quorum of the Committee shall be 4 members.
2. The Chairman shall determine which bills and resolutions are to be considered and the order in which said measures are considered.
3. The Chairman shall have the authority to refer bills and resolutions to subcommittees for study. Such subcommittees in turn shall have the authority to make recommendations on such measures to the full Committee at such time as shall be designated by the Chairman.
4. The Committee shall convene, recess, and adjourn upon the order of the Chairman.
5. A bill or resolution will be considered only after presentation by its principal author or other legislator whose name appears first or second on the list of authors or co-sponsors, unless the author or co-sponsor has made other arrangements with the Chairman.
6. No member of the Committee shall be allowed to vote by proxy.
7. Members may not abstain from voting unless the member or any member of the Senator's immediate family has a direct pecuniary interest in the result of such vote which interest is distinct, unique or peculiar to the Senator or the Senator's immediate family.
8. Any member or members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report if they so desire.
9. These rules may be amended upon a motion duly made and subsequently approved by two-thirds of the members of the Committee.
10. Where these rules are silent on a specific issue, the Rules of the Senate as adopted shall govern.

SENATE SPECIAL JUDICIARY COMMITTEE

The Senate Special Judiciary Committee met in Conference Room 125 of the Capitol, January 26, 2005 at 1:33 P.M.

The following senators were present:

Meyer von Bremen, 12th, Chairman
Stoner, 6th
Fort, 39th
Henson, 41st, Secretary
Miles, 43rd
Schaefer, 50th

Note: Senator Adelman was absent.

Chairman Meyer von Bremen called the meeting to order. This was an organizational meeting and legislation was also on the agenda. Copies of the Rules of the committee were provided for review. The rules were adopted by the committee unanimously.

The following legislation was discussed.

SB 6. (Stoner, 6th) - A bill to be entitled an Act to amend Article 2 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Crime Information Center, so as to authorize the exchange of national criminal history background checks on providers of care to children, the elderly, and persons with disabilities, including, but not limited to, volunteers with youth sports organizations and other youth activities; to define terms; to provide for conformity with federal law; to provide for rules and regulations; to provide for fees; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senator Stoner presented the bill to the committee. After brief discussion on the bill, a motion DO PASS was made by Senator Fort and seconded by Senator Henson. The motion carried unanimously.

There being no further business, the meeting was adjourned at 2:15 P.M.

Respectfully Submitted,

/s/ Henson of the 41st

/s/ Kim Crowell, Recording Secretary

SENATE SPECIAL JUDICIARY COMMITTEE

The Senate Special Judiciary Committee met in Conference Room 123 of the Capitol, February 2, 2005 at 3:30 P.M.

The following senators were present:

Meyer von Bremen, 12th, Chairman

Stoner, 6th

Henson, 41st, Secretary

Adelman, 42nd, Vice Chairman

Miles, 43rd

Schaefer, 50th

Note: Senator Fort was absent.

The following legislation was discussed.

SB 97. (Hamrick, 30th) - A bill to be entitled an Act to amend Code Section 15-11-71 of the Official Code of Georgia Annotated, relating to juvenile court supervision fees, so as to provide that fees may be used for truancy intervention services; to provide for related matters; to repeal conflicting laws; and for other purposes.

Judge Robin Nash presented the bill to the committee for Senator Bill Hamrick. This was approved by Chairman Meyer von Bremen. After brief discussion on the bill, a motion DO PASS was made by Senator Stoner and seconded by Senator Adelman. The motion carried unanimously.

SB 101. (Wiles, 37th) - A bill to be entitled an Act to amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to provide for requests that a hearing, trial, or other proceeding be held before an elected judge of the superior or state court, as the case may be; to provide for a definition; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Senator John Wiles presented the bill to the committee. SB 101 was on the agenda for a hearing.

Discussion and questions regarding SB 101 were heard by the committee. The bill will be further reviewed by the committee.

Pursuant to the Chairman, the bill will be further reviewed by the committee to allow for those who have voiced concerns to appear and speak.

Senate Special Judiciary Committee

There being no further business, the meeting was adjourned at 3:55 P.M.

Respectfully Submitted,

/s/ Henson of the 41st

/s/ Kim Crowell, Recording Secretary

SENATE SPECIAL JUDICIARY COMMITTEE

The Senate Special Judiciary Committee met in Conference Room 123 of the Capitol, February 9, 2005 at 1:30 P.M.

The following senators were present:

Meyer von Bremen, 12th, Chairman
Stoner, 6th
Schaefer, 50th
Fort, 39th
Miles, 43rd

Note: Senators Adelman and Henson were absent.

The following legislation was discussed.

HB 199. (Willard, 49th) - A bill to be entitled an Act to amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to correct typographical, stylistic, and other errors and omissions in Title 21 of the Official Code of Georgia Annotated and in Acts of the General Assembly amending Title 21 of the Official Code of Georgia Annotated; to correct capitalization and spelling in Title 21 of the Official Code of Georgia Annotated; to provide for necessary or appropriate revisions and modernizations of matters contained in Title 21 of the Official Code of Georgia Annotated; to provide for other matters relating to Title 21 of the Official Code of Georgia Annotated; to provide an effective date; to repeal conflicting laws; and for other purposes.

Representative Willard presented the bill to the committee. After brief discussion on the bill, a motion DO PASS was made by Senator Miles and seconded by Senator Fort. The motion carried unanimously.

SB 130. (Miles, 43rd) - A bill to be entitled an Act to amend Chapter 1 of Title 44 of the Official Code of Georgia Annotated, relating to general provisions regarding property, so as to provide that churches shall be exempt from the provisions regulating the removal and storage of vehicles from private real property; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Miles presented the bill to the committee. The bill was assigned to a sub-committee by Chairman Meyer von Bremen for further review. The subcommittee chair is Senator Stoner with Senators Adelman and Fort as members.

There being no further business, the meeting was adjourned at 1:45 P.M.

Respectfully Submitted,

/s/ Henson of the 41st

/s/ Kim Crowell, Recording Secretary

SENATE SPECIAL JUDICIARY COMMITTEE

The Senate Special Judiciary Committee met in Conference Room 123 of the Capitol, February 16, 2005 at 1:45 P.M.

The following senators were present:

Meyer von Bremen, 12th, Chairman

Stoner, 6th

Henson, 41st, Secretary

Adelman, 42nd, Vice Chairman

Miles, 43rd

Schaefer, 50th

Note: Senator Fort was absent.

The following legislation was discussed.

SB 130. (Miles, 43rd) - A bill to be entitled an Act to amend Chapter 1 of Title 44 of the Official Code of Georgia Annotated, relating to general provisions regarding property, so as to provide that churches shall be exempt from the provisions regulating the removal and storage of vehicles from private real property; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Stoner presented the committee with a report from the subcommittee on SB 130. After brief discussion on the bill, a motion DO PASS by substitute was made by Senator Henson and seconded by Senator Schaefer. The motion carried unanimously.

HB 95. (Willard, 49th) - A bill to be entitled an Act to amend the O.C.G.A., so as to correct typographical, stylistic, capitalization, punctuation, and other errors and omissions in the Official Code of Georgia Annotated and in Acts of the General Assembly amending the O.C.G.A.; to reenact the statutory portion of the O.C.G.A., as amended; to provide for necessary or appropriate revisions and modernizations of matters contained in the O.C.G.A.; to repeal portions of the Code and Acts amendatory thereof which have become obsolete; to delete portions of the Code which have been superseded by subsequent state laws; to provide for and to correct citations in the O.C.G.A. and other codes and laws of the state; to rearrange, renumber, and redesignate provisions of the O.C.G.A.; to provide for other matters relating to the O.C.G.A.; to provide effective dates; to repeal conflicting laws; and for other purposes.

Representative Willard presented the bill to the committee. After brief discussion on the bill, a motion DO PASS was made by Senator Adelman and seconded by Senator Miles. The motion carried unanimously.

SB 101. (Wiles, 37th) - A bill to be entitled an Act to amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to provide for requests that a hearing, trial, or other proceeding be held before an elected judge of the superior or state court, as the case may be; to provide for a definition; to provide for an effective date and applicability; to repeal conflicting laws; and for other

purposes.

SB 101 was on the agenda for a hearing only and further review by the committee. This hearing was to give state court judges an opportunity to speak on SB 101.

A number of Judges did make presentations at the meeting to provide their perspectives.

There being no further business, the meeting was adjourned at 2:30 P.M.

Respectfully Submitted,

/s/ Henson of the 41st

/s/ Kim Crowell, Recording Secretary

SENATE SPECIAL JUDICIARY COMMITTEE

The Senate Special Judiciary Committee met in Conference Room 328 of the Legislative Office Building, February 23, 2005 at 1:00 P.M.

The following Senators were present:

Meyer von Bremen, 12th, Chairman
Stoner, 6th
Adelman, 42nd, Vice Chairman
Schaefer of the 50th

Note: Senators Fort, Henson and Miles were absent.

The following legislation was discussed.

HB 178. (Bridges, 10th) - A bill to be entitled an Act to amend Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, so as to correct typographical, stylistic, and other errors and omissions in Title 47 of the Official Code of Georgia Annotated and in Acts of the General Assembly amending Title 47 of the Official Code of Georgia Annotated; to correct capitalization and spelling in Title 47 of the Official Code of Georgia Annotated; to provide for other matters relative to Title 47 of the Official Code of Georgia Annotated; to provide an effective date; to repeal conflicting laws; and for other purposes.

Representative Bridges presented the bill to the committee. After brief discussion on the bill, a motion DO PASS was made by Chairman Meyer von Bremen and seconded by Senator Adelman. The motion carried unanimously.

SB 195. (Schaefer, 50th) - A bill to be entitled an Act to amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other trade practices, so as to regulate loans to and abandoned property of museums and archives repositories; to provide a short title; to define certain terms; to provide a process for establishing ownership of property loaned to museums and archives repositories; to provide for notice; to provide for other related matters; to repeal conflicting laws; and for other purposes.

Senator Schaefer presented the bill to the committee. There were several questions raised by the committee members and the Legislative Counsel's office. After much discussion, it was agreed by the committee and Senator Schaefer that the bill would be passed out of the committee and substituted or amended by Senator Schaefer on the senate floor with the correction made by the committee.

A motion DO PASS was made by Senator Adelman and seconded by Senator Stoner. The motion carried unanimously.

SB 101. (Wiles, 37th) - A bill to be entitled an Act to amend Title 15 of the Official Code of Georgia

Annotated, relating to courts, so as to provide for requests that a hearing, trial, or other proceeding be held before an elected judge of the superior or state court, as the case may be; to provide for a definition; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

This bill was on the agenda to inform the committee that it was moved to the Senate Judiciary Committee.

SB 147. (Shafer, 48th) - A bill to be entitled an Act to amend Part 8 of Article 8 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated, relating to liens of hospitals and nursing homes, so as to allow a chiropractic practice to have a lien on a cause of action accruing to an injured person for the costs of care and treatment arising out of the cause of action; to define a term; to change certain provisions regarding notice; to provide for related matters relative to filing a lien; to repeal conflicting laws; and for other purposes.

This bill was on the agenda to inform the committee that the primary author of the bill requested it be taken up at a later date.

There being no further business, the meeting was adjourned at 1:30 P.M.

Respectfully Submitted,

/s/ Henson of the 41st

/s/ Kim Crowell, Recording Secretary

SENATE SPECIAL JUDICIARY COMMITTEE

The Senate Special Judiciary Committee met in Conference Room 123 of the State Capitol, March 2, 2005 at 11:30 A.M.

The following senators were present:

Adelman, 42nd, Vice Chairman
Stoner, 6th
Henson, 41st, Secretary
Miles, 43rd
Schaefer, 50th

Note: Senators Fort and Meyer von Bremen were absent.

Vice Chairman Adelman called the meeting to order. Senator Adelman chaired the committee meeting while Senator Meyer von Bremen was in a Senate Appropriations Committee meeting.

The following legislation was discussed.

SB 216. (Hill, 32nd) - A bill to be entitled an Act to amend Title 50 of the O.C.G.A., relating to state government, so as to delete Chapter 11, relating to the State Law Library; to amend Code Section 20-5-2 of the O.C.G.A., relating to the powers and duties of the board of regents and the director of University of Georgia Libraries relative to state public libraries; Code Section 36-80-19 of the O.C.G.A., relating to the codification of ordinances and resolutions of local governments; and Code Section 45-13-22 of the O.C.G.A., relating to the distribution of the Georgia Laws and the Journals of the House of Representatives and the Senate, so as to delete references to the State Law Library; to provide for other related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senator Hill presented the bill to the committee. After brief discussion on the bill, a motion DO PASS was made by Senator Stoner and seconded by Senator Henson. The motion carried unanimously.

There being no further business, the meeting was adjourned at 12:00 P.M.

Respectfully Submitted,

/s/ Henson of the 41st

/s/ Kim Crowell, Recording Secretary

SENATE SPECIAL JUDICIARY COMMITTEE

The Senate Special Judiciary Committee met in Conference Room 123 of the State Capitol, March 17, 2005 at 1:36 P.M.

The following senators were present:

Meyer von Bremen, 12th, Chairman
Stoner of the 6th
Henson, 41st
Miles, 43rd
Schaefer, 50th

Note: Senators Fort and Adelman were absent.

The following legislation was discussed.

HB 50. (Teilhet, 40th) - A bill to be entitled an Act to amend Article 2 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Crime Information Center, so as to authorize the exchange of national criminal history background checks on providers of care to children, the elderly, and persons with disabilities, including, but not limited to, volunteers with youth sports organizations and other youth activities; to define terms; to provide for conformity with federal law; to provide for rules and regulations; to provide for fees; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Representative Teilhet presented the bill to the committee. After some brief discussion from the committee members on the bill, a motion DO PASS was made by Senator Henson and seconded by Senator Miles. The motion carried unanimously.

There being no further business, the meeting was adjourned at 1:48 P.M.

Respectfully Submitted,

/s/ Henson of the 41st

/s/ Kim Crowell, Recording Secretary

SENATE SPECIAL JUDICIARY COMMITTEE

The Senate Special Judiciary Committee met in Conference Room 123 of the State Capitol, March 23, 2005 at 1:35 P.M.

The following senators were present:

Meyer von Bremen, 12th, Chairman
Stoner, 6th
Fort, 39th
Miles, 43rd
Schaefer, 50th

Note: Senators Henson and Adelman were absent.

The following legislation was discussed.

HB 150. (Franklin, 43rd) - A bill to be entitled an Act to amend Code Section 15-2-8 of the Official Code of Georgia Annotated, relating to the powers of the Georgia Supreme Court, so as to provide that the Supreme Court shall permit any person who has graduated from a law school, regardless of whether such law school is accredited or approved by the American Bar Association or the Georgia Board of Bar Examiners, to take the state bar examination if such person meets all other qualifications to take such examination; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Representative Franklin presented the bill to the committee.

The committee heard testimony from five people of the community on House Bill 150. The testimony was given by Mr. Michael Sheehey of Comcast; Mr. Keith Williams a law school graduate; Mr. Hylton Dupree, Chairman of the Board for the Bar Exam; Mr. Tom Boller of the State Bar of Georgia; and Mr. Jim Cherry a law school graduate.

After all testimony was heard, the committee had a brief discussion on House Bill 150.

The committee also heard an amendment from Senator Fort for House Bill 150. The amendment was in regard to prescriptive authority short form. A copy of the amendment was given to each committee member present at the meeting.

This meeting consisted of a hearing only. No votes were taken.

There being no further business, the meeting was adjourned at 2:37 P.M.

Respectfully Submitted,

/s/ Henson of the 41st

/s/ Kim Crowell, Recording Secretary